



**STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT**

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
P.O. Box 40911 · Olympia, WA 98504-0911 · (360) 902-9820 · FAX (360) 586-4694

TO: Josh Dahmen

FROM: Teresa Parsons, SPHR
Director's Review Program Supervisor

SUBJECT: Josh Dahmen v. Washington State University (WSU)
Allocation Review Request ALLO-12-065

On July 15, 2013 I conducted a Director's review telephone conference concerning the allocation of your position. Both you and James Parvin, Transportation Supervisor, participated in the telephone call, and Zami Wilson, Senior Human Resources Consultant, represented WSU. Rick Finch, Manager of the Waste Management department, also participated in the telephone conference. You report to Mr. Parvin, who reports to Mr. Finch.

Background

On July 16, 2012, the Human Resources Office at WSU received an updated Position Questionnaire form (PQ) for your position (41039). Ms. Wilson conducted a position review and by letter dated October 26, 2013, notified you that your position was properly allocated to the Waste Collector classification. While Ms. Wilson acknowledged that you frequently operate vehicles over 60,000 Gross Combined Weight (GCW) as stated in the Truck Driver 3 class, she stated that you do not perform the necessary lead duties as required. Therefore, she determined that the Waste Collector was the appropriate classification for your position.

On November 21, 2012, the State HR Division received your request for a Director's review of WSU's allocation determination.

Summary of Mr. Dahmen's Perspective

You assert that you operate vehicles rated at 60,000 GCW or more when performing your waste collection duties. In addition, while you acknowledge that you do not have the designated authority to assign work to employees on a daily basis, you assert that you demonstrate lead responsibility when you train and monitor time slip (i.e. hourly) staff and others as needed when your supervisor is not present. You contend this includes training, leading, monitoring or supervising employees and operations on a daily basis. As a whole, you contend your position should be reallocated to the Truck Driver 3 class.

Summary of WSU's Reasoning

WSU asserts the Waste Collector classification is the best fit for the duties assigned to your position. Specifically, WSU acknowledges that while you regularly operate vehicles over 60,000 Gross Combined Weight (GCW) as stated in the Truck Driver 3 class, you do not perform lead

duties as required. WSU asserts the Waste Collector class accurately describes your principal responsibility of operating trucks and vans of all types and sizes to transport and pick up waste, commodities, supplies and materials, which includes operating equipment of 60,000 GCW or more. When combining these duties the Waste Collector class is the appropriate classification.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Duties and Responsibilities

Your position drives and operates waste trucks and waste collection equipment in order to collect campus refuse, garbage and recyclable materials. As stated in the Position Summary for your position (Exhibit B-3), you collect and remove waste and recyclable materials from University buildings following assigned collection schedules. You also assist in recycling processing activities as you complete your assigned routes.

On the position questionnaire (Exhibit B-1) you describe your assigned duties and responsibilities as follows:

- 65% Lead others and operate trucks and vans of all types and sizes. Drive and operate equipment of 60,000 GCW or more. Transport and pickup waste, commodities, supplies, and materials. Drive tractor/trailer equipment, transporting materials and or supplies. Direct or participate in loading and unloading commodities, material, equipment, or supplies. Assist with equipment records and scheduling maintenance. Record roll-off, waste, and bale sheets for tracking and billing purposes.
- 25% Occasionally operate lighter trucks and equipment for recycling purposes. Supervise lower level staff, answer questions, and assist in all aspects of bailing operations.
- 10% Fill in as Transportation Supervisor or Truck Driver 3. Supervise lower level staff as needed. Lead truck drivers and waste collectors performing a variety of duties including, but not limited to, waste and recycling collection. Assist supervisor in training, maintaining records, and assigning work assignments for staff. Assist with assigning, scheduling, and estimations of work load.

Supervisor's Comments

Mr. James Parvin, Transportation Supervisor, is your supervisor. Mr. Parvin did not sign the Position Questionnaire for your position; however he did provide input during the review telephone conference.

Mr. Rick Finch, Waste Management Manager and your second-line supervisor, completed the supervisor's portion of the PQ and disagrees that the information you provided is accurate and complete. In his comments, while Mr. Finch acknowledges that you operate 60,000 GCW trucks on a regular basis, you have not been delegated lead responsibilities except when filling in for your supervisor in his absence with another employee on a rotating basis. Mr. Finch indicates that you do provide assistance in training new employees on tasks and routes and answering questions for less experience employees.

Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

When determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See *Dudley v. Dept. of Labor and Industries*, PRB Case No. R-ALLO-07-007 (2007).

Comparison of Duties to Truck Driver 3

The Definition for this class states:

Positions at this level lead others and operate trucks and vans of all types and sizes to transport materials, equipment, and personnel. Operates vehicles rated at 60,000 Gross Combined Weight (GCW) or more, including semi-tractor/trailer equipment. Transports equipment, materials supplies, and buses rated over 30 passenger capacity.

[Emphasis added]

There are no Distinguishing Characteristics for this class.

Lead

The *Glossary of Terms for Classification, Compensation, & Management* defines **lead** as follows:

An employee who performs the same or similar duties as other employees in his/her work group and has the designated responsibility to regularly assign, instruct, and check the work of those employees on an ongoing basis.

Your position does not have designated responsibility to lead other employees in your work group. Your position does not have responsibility to regularly assign, instruct, or check the work of other employees on an ongoing basis. In his comments and also during the review telephone conference, Mr. Finch stated that your position occasionally serves in a lead capacity in your supervisor's absence; however, this is not a regular and ongoing assignment for your position.

Direct the Work of Others

The *Glossary of Terms for Classification, Compensation, & Management* defines **Direct the Work of Others** as follows:

Provides work guidance or direction but is NOT a "lead"; does NOT have the responsibility of assigning, instructing and checking the work of others on a regular and ongoing basis.

During the review conference Mr. Parvin indicated that he is the supervisor for the unit and that he has the responsibility to assign and schedule work. He indicates that he conducts daily briefings with staff which includes making or revising daily work assignments to employees in the unit. He stated that you are aware of the work assigned on a daily basis, and that you will respond to operational situations and provide work guidance or direction to staff if he is unavailable. He indicated that you also teach and train staff if he is busy or unavailable. You confirmed this in your comments, stating, "I do not have the title of lead, but have been designated to lead fellow co-workers and help customers as needed to the best of my abilities. ...any day that Jim is not available to lead, instruct, train, and supervise employees at all times, this is where I have lead" (Exhibit A-7).

Mr. Finch stated during the conference that you have not been delegated lead responsibilities except when filling in for your supervisor in his absence. Mr. Finch indicated that per your collective bargaining agreement that you (and another employee on a rotating basis) receive a temporary upgrade assignment for those days that you perform that function. Mr. Finch indicated that this is an occasional assignment and does not constitute a majority of your work time as indicated in Exhibit B-7.

Therefore, on the basis of the totality of information presented by the parties, your position does not have designated responsibility for leading staff. Your duties are best described as providing occasional work direction or guidance to staff when your supervisor is working but unavailable. You are called upon to provide work guidance and provide training to hourly staff to make sure they are able to operate the waste collection trucks and other equipment and to provide assistance to customers with recycling and other waste collection activities.

Therefore, because your position does not have responsibility for leading waste collector positions, allocating your position to the Truck Driver 3 class is not appropriate.

Comparison of Duties to Waste Collector

The Definition for the Waste Collector class states:

Drive refuse trucks and collect campus refuse and garbage.

The Distinguishing Characteristics for this class state:

Positions allocated to this class have as the principal duty the collection of campus garbage and refuse. This involves driving and operating packer or dump trucks with a capacity of at least 16 cubic yards.

In accordance with the Definition of this class, the primary focus of your position is to drive and operate refuse trucks and collect campus refuse and garbage. Your position assists with the collection and processing of University waste and recyclable materials. The Distinguishing Characteristics for this class addresses operating packer or dump trucks with a capacity of at least 16 yards, which is consistent with the scope of your duties.

In Salsberry v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-06-013 (2007), the Personnel Resources Board addressed the concept of *best fit*. The Board referenced Allegri v. Washington State University, PAB Case No. ALLO-96-0026 (1998), in which the Personnel Appeals Board noted that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of his position.

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

A position's allocation is not a reflection of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position and how that work best aligns with the available job classifications. Based on the level and scope of the overall duties and responsibilities assigned to your position, the Waste Collector classification is the best fit. Your position should remain allocated to that class.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 4th floor of the Insurance Building, 302 Sid Snyder Avenue SW, Olympia, Washington. The main telephone number is (360) 902-9820, and the fax number is (360) 586-4694.

If no further action is taken, the Director's determination becomes final.

c: Josh Dahmen, WSU
Zami Wilson, WSU
Lisa Skriletz, SHR

Enclosure: List of Exhibits

JOSH DAHMEN v WSU
ALLO-12-065

List of Exhibits

A. Josh Dahmen Exhibits

1. Request for Director's Review from Josh Dahmen received by Director's Review program on November 21, 2012 (3 pages)
2. Allocation determination memo from Zami Wilson to Josh Dahmen dated October 26, 2012 (2 pages)
3. State HR class specification for Waste Collector with highlights and notes
4. State HR class specification for Truck Driver 3 with highlights and notes
5. July 2009 Performance Evaluation for Josh Dahmen (5 pages)
6. January 2011 Performance Evaluation for Josh Dahmen (3 pages)
7. Position statement document from Josh Dahmen titled "Additional Finding" (3 pages)

B. WSU Exhibits with cover letter Paula Sheldon dated December 18, 2012

1. Position Questionnaire completed by Mr. Dahmen (6 pages)
2. Copy Position Questionnaire with comments by Richard Finch, Waste Management Manager, including a breakdown of hours worked from January 2012 to June 2012 (7 pages)
3. 2008 Position Description form for Josh Dahmen's position (7 pages)
4. State HR class specifications for Waste Collector and Truck Driver 3 (2 pages)
5. Email from Kari Lade to Zami Wilson dated October 15, 2012, OSHRD-OFM (1 page)
6. Allocation determination memo from Zami Wilson to Josh Dahmen dated October 26, 2012 (2 pages)
7. Temporary upgrade assignment paperwork. (4 pages)
8. Director's Meeting Agenda – Exempt Compensation November 8, 2012 (3 pages)

C. Class Specifications

1. State HR Class Specification for Truck Driver 3, 632K
2. State HR Class Specification for Waste Collector, 632F